

Senate Bill No. 1081

Passed the Senate May 31, 2001

Secretary of the Senate

Passed the Assembly July 2, 2001

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day of
_____, 2001, at _____ o'clock __M.

Private Secretary of the Governor

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CHAPTER _____

An act to amend Sections 27150.1, 27150.2, 27150.7, and 27151 of, and to repeal Sections 23130, 23130.5, 27150.3, 27150.4, 27150.6 and 27150.8 of, the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 1081, Johannessen. Exhaust and muffler systems.

(1) Existing law establishes noise limits for various types of motor vehicles based on factors, including, but not limited to, speed limit. Existing law establishes different noise limits for speed zones of 35 miles per hour or less on level streets.

This bill would delete these provisions.

(2) Existing law prohibits any person engaged in a business that involves the selling of motor vehicle exhaust systems from selling or installing a motor vehicle exhaust system that does not meet regulations and standards. Existing law provides that a violation of this provision is a misdemeanor.

This bill would provide that motor vehicle exhaust systems include nonoriginal exhaust equipment.

(3) Existing law requires the Commissioner of the California Highway Patrol to conduct a study and to adopt regulations setting standards for the certification of exhaust systems, which regulations would become effective one year after they are filed with the Legislature. Existing law authorizes the commissioner to provide for the exemption of vehicular exhaust systems where compliance with the regulations would cause an unreasonable hardship without resulting in a sufficient corresponding benefit with respect to noise level control. Existing law requires the regulations to include provisions for the licensing of stations to implement these provisions.

This bill would require these regulations to provide that exhaust systems installed on motor vehicles weighing less than 6,000 pounds that emit no more than 95 dbA comply with specified requirements. This bill would delete the provisions relating to the study and the filing of regulations with the Legislature.

(4) Existing law authorizes a court to dismiss any action in which a person is prosecuted for operating a vehicle in violation



of specified provisions relating to noise limits, if certain conditions are met.

This bill would instead authorize a court to dismiss an action in which a person is prosecuted for a violation of specified provisions concerning the use of mufflers and exhaust systems, if the vehicle is equipped with an exhaust system that complies with the regulations described in (3).

(5) Existing law requires manufacturers of motorcycles and motorcycle accessories to certify to the Department of the California Highway Patrol, prior to the sale of a motorcycle exhaust system, that the system is in compliance with the standards and regulations adopted by the commissioner.

This bill would delete this provision.

(6) Existing law prohibits the modification of exhaust systems to amplify or increase the noise emitted such that the system violates existing noise limits.

This bill would provide that for vehicles of less than 6,000 pounds, other than motorcycles, a sound level of 95 dbA or less complies with noise limits.

The people of the State of California do enact as follows:

SECTION 1. Section 23130 of the Vehicle Code is repealed.

SEC. 2. Section 23130.5 of the Vehicle Code is repealed.

SEC. 3. Section 27150.1 of the Vehicle Code is amended to read:

27150.1. On and after the effective date of regulations and standards adopted by the commissioner pursuant to Section 27150.2, no person engaged in a business which involves the selling of motor vehicle exhaust systems, or parts thereof, including, but not limited to, mufflers, shall offer for sale, sell, or install, a motor vehicle exhaust system, or part thereof, including, but not limited to, a muffler, unless it meets those regulations and standards. Motor vehicle exhaust systems or parts thereof include, but are not limited to, nonoriginal exhaust equipment.

A violation of this section is a misdemeanor.

SEC. 4. Section 27150.2 of the Vehicle Code is amended to read:

27150.2. The commissioner shall adopt regulations setting standards for vehicular exhaust systems consistent with Article 2.5



(commencing with Section 27200). The regulations shall include, but need not be limited to, the following:

(a) Provisions for standards for vehicular exhaust systems, based on manufacturers' data and subject to any inspections and other verification the commissioner may prescribe. The regulations shall include provisions specifying that exhaust systems installed on motor vehicles, other than motorcycles, with a manufacturer's gross vehicle weight rating of less than 6,000 pounds, that emit no more than 95 dbA when tested in accordance with Society of Automotive Engineers Standard J1169 May 1998, comply with Sections 27150 and 27151.

(b) Provisions for the licensing of stations to implement this section and Section 27150.1, and for the denial, revocation, or suspension of any license for failure to comply with this section or any regulation adopted thereunder.

The regulations may provide for the exemption of vehicular exhaust systems where compliance with the regulations would cause an unreasonable hardship without resulting in a sufficient corresponding benefit with respect to noise level control.

SEC. 5. Section 27150.3 of the Vehicle Code is repealed.

SEC. 6. Section 27150.4 of the Vehicle Code is repealed.

SEC. 7. Section 27150.6 of the Vehicle Code is repealed.

SEC. 8. Section 27150.7 of the Vehicle Code is amended to read:

27150.7. A court may dismiss any action in which a person is prosecuted for operating a vehicle in violation of Section 27150 or 27151 if it is found that the vehicle was equipped with an exhaust system in compliance with regulations adopted by the commissioner pursuant to Section 27150.2, and that the defendant had reasonable grounds to believe that the exhaust system was in good working order and had reasonable grounds to believe that the vehicle was not operated in violation of Section 27150 or 27151.

SEC. 9. Section 27150.8 of the Vehicle Code is repealed.

SEC. 10. Section 27151 of the Vehicle Code is amended to read:

27151. (a) No person shall modify the exhaust system of a motor vehicle in a manner which will amplify or increase the noise emitted by the motor of the vehicle so that the vehicle is not in compliance with the provisions of Section 27150 or exceeds the noise limits established for the type of vehicle in Article 2.5



(commencing with Section 27200). No person shall operate a motor vehicle with an exhaust system so modified.

(b) For the purposes of exhaust systems installed on motor vehicles with a manufacturer's gross vehicle weight rating of less than 6,000 pounds, other than motorcycles, a sound level of 95 dbA or less, when tested in accordance with Society of Automotive Engineers Standard J1169 May 1998, complies with this section. Motor vehicle exhaust systems or parts thereof include, but are not limited to, nonoriginal exhaust equipment.



Approved _____, 2001

Governor

